

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

OTIS HICKS,

Plaintiff,

v.

WEGMANS FOOD MARKET,

Defendant.

HONORABLE JOSEPH E. IRENAS

CIVIL ACTION NO. 09-624  
(JEI/AMD)

**ORDER DENYING PLAINTIFF'S  
MOTION FOR ADVERSE INFERENCE  
(Dkt. No. 17) and GRANTING  
DEFENDANT'S MOTION TO SEAL  
(Dkt. No. 28)**

**APPEARANCES:**

BEGELMAN, ORLOW & MELLETZ  
By: Jordan R. Irwin, Esq.  
411 Route 70 East, Suite 245  
Cherry Hill, New Jersey 08034  
Counsel for Plaintiff

PEPPER HAMILTON LLP  
By: Matthew V. DelDuca Esq.  
301 Carnegie Center, Suite 400  
Princeton, New Jersey 08543  
Counsel for Defendant

**IRENAS**, Senior District Judge:

This matter having appeared before the Court upon Plaintiff's Motion for Adverse Inference Charge (Dkt. No. 17), and Defendant's Motion to Seal (Dkt. No. 28), the Court having considered the submissions of the parties, for the reasons set forth in an Opinion issued by this Court on even date herewith, and for good cause appearing;

**IT IS** on this 10th day of February, 2011,

**ORDERED THAT:**

(1) Plaintiff's Motion for Adverse Inference Charge is hereby **DENIED**.

(2) Defendant's Motion to Seal is hereby **GRANTED**.

s/Joseph E. Irenas  
**JOSEPH E. IRENAS, S.U.S.D.J.**